

KrisJacob

Trial Designations



Jacob, Kris

2025-04-23

Defense Designations	00:16:11
Plaintiff Designations	00:12:32
TOTAL RUN TIME	00:28:43



ID: KrisJacob

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1	IN THE UNITED STATES DISTRICT COURT		1	APPEARANCES:	
2			2	LITTLETON JOYCE UGHETTA & KELLY LLP	
3	Civil action No: 1:23-cv-00327-JDL		3	2460 N. Courtenay Pkwy, Suite 204	
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16			16		
17	for the State of Maine, via Zoom videoconference,		17		
18	Time, pursuant to notice given.		18		
19			19		
20			20		
21			21		
22			22		
23			23		
24			24		
25			25		
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1	INDEX		1	(This deposition was taken before Debra J. Fusco,	
2			2	Notary Public, via Zoom videoconference, on May 23,	
3			3	2025, beginning at 8:30 a.m. Mountain Time)	
4			4	VIDEOGRAPHER: We are now on the record.	
5			5	The time is 8:30 a.m. Mountain Time on May 23, 2025.	
6			6	This begins the videoconference deposition of Kris Jacob	
7			7	taken in the matter of David Alan Cole and Kimberly Cole	
8			8	versus Sig Sauer, Incorporated. The case number is	
9	Page		9	1:23-cv-00327-JDL, and is filed in the United States	
10	Exhibit 2 Glock Instruction Manual 45		10	District Court for the District of Maine.	
11			11	My name is George Ellis, I'm your remote	
12			12	videographer. Our court reporter is Debra Fusco, and we	
13			13	are representing Esquire Deposition Solutions.	
14			14	Counsel, please state your name and who you	
15			15	represent, after which the court reporter will swear in	
16			16	the witness.	
17			17	MS. DENNISON: Kristen Dennison from	
18			18	Littleton Joyce Ughetta & Kelly. I represent Sig Sauer,	
19			19	Inc.	
20			20	MR. HAAZ: Sam Haaz on behalf of David and	
21			21	Kimberly Cole.	
22			22	(The deponent was administered the oath by the Notary	
23			23	Public.)	
24			24	KRIS JACOB, after having been duly	
25			25	sworn by the Notary Public, was	

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1 deposed and testified as follows:
2 EXAMINATION
3 BY MS. DENNISON:
4 Q. Good morning, Mr. Jacob. My name is Kristen
5 Dennison. I represent Sig Sauer in an action that has
6 been brought against it by the Coles. I thank you for
7 appearing this morning. You are here pursuant to a
8 subpoena issued by my office; is that correct?
9 A. Yes.
10 Q. I'm going to give you a few ground rules. To
11 start, have you ever had your deposition taken before?
12 A. Yes.
13 Q. How many times?
14 A. Once to the best of my recollection.
15 Q. Okay. All of your responses to my questions must
16 be verbal because we do have a court reporter here
17 transcribing everything that's being said. In
18 particular, an audible yes or no as opposed to a nod or
19 shake of the head. If you forget, don't worry about it.
20 Between Sam and I, we'll remind you to give an audible
21 response, but we do need responses to be verbal. Also,
22 because we have a court reporter transcribing
23 everything, we have to speak -- only one person can
24 speak at a time. In the normal course of conversation,
25 you might anticipate where I'm going with one of my

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1 answer the questions as best as you can, and we'll get
2 through this as quickly as we can.
3 Are you taking any medications that would prevent
4 you from testifying truthfully and honestly today?
5 A. No.
6 Q. Did you review any materials to prepare for your
7 deposition here today?
8 A. Yes.
9 Q. What did you review?
10 A. I watched one YouTube video to figure out what
11 the case was all about, but that was it.
12 Q. Okay. And when you say you "watched one YouTube
13 video to figure out what the case was all about," do you
14 mean the Cole versus Sig Sauer case?
15 A. Yes.
16 Q. And what was that YouTube video that you watched?
17 A. It looked like the press conference early on in
18 the process.
19 Q. Okay. So a press conference, was that a press
20 conference where the Coles were speaking?
21 A. Yes.
22 Q. Did you review anything else to prepare for your
23 deposition here today?
24 A. Nothing other than the subpoena.
25 Q. Okay. Do you have any documents or materials

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1 questions, and you might want to start your response
2 before I finish. But to allow an accurate and complete
3 transcription of the proceedings here today, I'd ask
4 that you allow me to completely finish my question
5 before you begin your response. And I will, in turn,
6 allow you to completely finish your response before I
7 begin my next question, okay?
8 A. Okay.
9 Q. We're going to try to be fairly quick here this
10 morning, but if you need a break at any point in time,
11 please let me know, I will be happy to accommodate you.
12 I'm going to ask you a series of questions. If
13 you don't hear or understand my question, please let me
14 know, and I will be happy to repeat it, okay?
15 A. Okay.
16 Q. If you answer my question, I'm going to assume
17 that you heard it, that you understood it, and that
18 you're answering truthfully and honestly to the best of
19 your recollection; is that fair?
20 A. It is.
21 Q. If you don't understand my question, as I said,
22 please -- please let me know. I'll -- I will also
23 rephrase my question if you don't understand it.
24 The oath that you've taken is the same as if you
25 were testifying in a court of law. So please just

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1 pertaining to an accidental discharge that you had with
2 one of your weapons? I'm sorry, with a weapon?
3 A. I do. They will likely be somewhat difficult to
4 dig up, but it was some time ago.
5 Q. Sure. What materials do you have that relate to
6 the accidental discharge that you experienced?
7 A. Medical reports, a police report, a video of the
8 event itself that was captured on security cameras.
9 Q. And you said that you had a video that was
10 captured on security cameras. What security cameras
11 captured a video?
12 A. There -- it was in a retail training center in
13 Gardnerville, Nevada, and the ATF requirements require
14 you to have videotape in your retail space. So it was
15 an Amazon product of some kind, but I -- I can't
16 remember the name of the camera.
17 Q. Okay. Was that -- what was the name of that
18 retail space?
19 A. Bullseye Nevada.
20 Q. Did you own that space?
21 A. I did -- well, I rented it.
22 Q. Did you purchase the surveillance video or the
23 surveillance equipment that captured the video of your
24 incident?
25 A. The company did on my behalf, yes.

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1 Q. And the video that you have, is that something
2 that you downloaded from that surveillance video?
3 A. I didn't. I was in the hospital at the time.
4 One of my employees downloaded it.
5 Q. And have you seen that video?
6 A. I have.
7 Q. Does that video that you have seen accurately
8 depict the circumstances surrounding your accidental
9 discharge?
10 A. It does.
11 **Q. Stepping back a moment, can you state your full**
12 **name for the record, please?**
13 **A. Kris William Jacob.**
14 Q. Have you ever been known by any other names?
15 A. I have not.
16 Q. Where do you currently reside?
17 A. I'm living in Montana.
18 Q. How long have you been in Montana?
19 A. Almost five years.
20 Q. Prior to Montana, where did you reside?
21 A. Reno, Nevada.
22 Q. So the accidental discharge that you experienced,
23 what weapon discharged to cause that unintended
24 discharge?
25 MR. HAAZ: Object to form. You can answer.

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1 **equipment that you had in that retail space in Nevada.**
2 (Whereupon, a video is being played.)
3 Q. Can you see the video?
4 A. I can.
5 **Q. Okay. Mr. Jacob, is the portion of that video**
6 **that I just played, is that video that was captured by**
7 **your surveillance equipment in -- at -- at Bullseye**
8 **Nevada?**
9 **A. Yes.**
10 **Q. Okay. We'll go back to that in just a moment.**
11 **Can you tell me what that video depicts?**
12 **A. It depicts me walking across the room from the**
13 **desk to retrieve something from the floor, leaning over**
14 **with, as you can see in the video, both hands in front**
15 **of me, and attempting to pick it up, and then having a**
16 **certainly unintended, certainly accidental discharge of**
17 **the firearm that was on my person.**
18 Q. Okay. Now, I'm going to go back through it, and
19 I'm going to just stop in a couple of locations, and I'm
20 just going to ask you some questions. So let me hit
21 play on this again. I'm sharing my screen.
22 (Whereupon, a video is being played.)
23 **Q. So I'm going to stop it right here. This**
24 **gentleman here on the left in the gray shirt and dark**
25 **pants; is that you?**

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1 A. Sorry, I missed that. What was that?
2 MR. HAAZ: Sorry. So Kristen and I may
3 object from time to time.
4 THE WITNESS: Oh.
5 MR. HAAZ: That's not going to stop you from
6 answering the question, and we're not, in any way,
7 suggesting that you shouldn't answer the question.
8 THE WITNESS: Okay.
9 MR. HAAZ: It's more of an objection as to
10 how the other lawyer asked the question.
11 THE WITNESS: Understood.
12 MR. HAAZ: And so we're just doing that to
13 preserve issues for a later date. And so apologies for
14 the interruption, just wanted to clarify that.
15 And so, Kristen, I'll just note my
16 objection, and you can ask the question again.
17 MS. DENNISON: Yeah, actually I'm going to
18 -- I'm just going to go to something else before I ask
19 that question.
20 BY MS. DENNISON:
21 **Q. So I am going to play a video for you, Mr. Jacob,**
22 **and I apologize for having to play this video for you.**
23 **I'm -- I'm sure this is not your favorite event, but I'm**
24 **going to play this, and I'm going to ask you to let me**
25 **know if this is a video captured by the surveillance**

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1 **A. It is.**
2 **Q. Okay. Do you have a firearm in your hands?**
3 **A. It's a little hard to tell, given the size of the**
4 **video, but it appears that I do, yes.**
5 **Q. Okay. Do you recall what type of firearm that**
6 **was?**
7 **A. It was a Glock 43 Subcompact.**
8 **Q. That Glock 43 Subcompact, did that have a trigger**
9 **that had a blade in the center or a tab?**
10 **A. Yes.**
11 Q. Now, it appears in this video, if I play it --
12 (Whereupon, a video is being played.)
13 Q. -- that you were putting that pistol -- well, can
14 **you tell me -- strike that question. What are you doing**
15 **with the pistol there in that portion of the video that**
16 **I just played?**
17 **A. It was placed into a Kydex holster that was**
18 **attached to my belt.**
19 **Q. Was that an Inside The Waistband holster?**
20 **A. It was.**
21 **Q. Do you recall what the make and model of that**
22 **holster was?**
23 **A. It was a Haley Strategic Incog holster.**
24 **Q. Do you still have that holster?**
25 **A. I don't believe that I do.**

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1 Q. Okay.
2 (Whereupon, a video is being played.)
3 Q. So at this portion of the video, you put the
4 Glock 43 Subcompact pistol with the tab trigger into an
5 Inside The Waistband Haley Strategic Incog holster; is
6 that correct?
7 A. Correct.
8 (Whereupon, a video is being played.)
9 Q. Now, here you take your hands off the gun. Was
10 that Glock pistol fully seated in that holster at this
11 moment in time?
12 MR. HAAZ: Object to form. You can answer.
13 A. It was.
14 BY MS. DENNISON:
15 Q. And how do you know that?
16 A. Typically Kydex holster (sic) -- Kydex holsters
17 have a tension portion to them, and that tension portion
18 engaged when the holster went into -- or when the
19 firearm went into the holster.
20 Q. And how did you know that that engaged when the
21 firearm went into the holster?
22 A. It clicks.
23 Q. Okay. And so was that an audible click that you
24 heard?
25 MR. HAAZ: Object to form.

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1 MR. HAAZ: Object to form.
2 BY MS. DENNISON:
3 Q. Let me ask that again.
4 MS. DENNISON: And could you just pause so
5 that you can get the object to form? I want a -- I want
6 a clean answer so I can't have you both speaking over
7 each other.
8 BY MS. DENNISON:
9 Q. So, Mr. Jacob, at the time that that firearm
10 discharged, at the time that that Glock 43 pistol with
11 the tab trigger discharged, were your hands on or near
12 that pistol?
13 MR. HAAZ: Object to form. Can you answer.
14 A. They were not.
15 (Whereupon, a video is being played.)
16 BY MS. DENNISON:
17 Q. Okay. And I'm going to stop it right there. Did
18 a -- and I'll stop sharing the screen.
19 Did a bullet discharge from that Glock 43 pistol
20 and strike you?
21 A. It did.
22 Q. Were you injured from that event?
23 A. I was.
24 Q. Sir, did you ever find out what happened to cause
25 that Glock 43 pistol to discharge?

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1 A. You feel it and you hear it. It depends on how
2 tight the -- the tension is.
3 BY MS. DENNISON:
4 Q. Okay. And do you have a recollection, as you sit
5 here today, that you heard and/or felt a click when you
6 put the Glock 43 pistol into that Kydex holster?
7 MR. HAAZ: Object to form.
8 A. I do.
9 BY MS. DENNISON:
10 Q. So I'm going to continue to play the video for
11 another moment.
12 (Whereupon, a video is being played.)
13 Q. And what are you doing right here where I've
14 stopped the video?
15 A. So I'm leaning over to pick up a -- what's
16 referred to in the industry as a snap cap which is an
17 inert round that was used in the demonstration.
18 Q. Okay.
19 (Whereupon, a video is being played.)
20 Q. And what -- I just stopped the video again. What
21 just happened here?
22 A. The firearm discharged in the holster inside my
23 pants.
24 Q. Were your hands on the pistol?
25 A. No.

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1 A. Not definitively. It was sent to the lab to be
2 tested at the request of my attorney, but to the best of
3 my knowledge, I never received a full report of what the
4 technical details were surrounding the problem.
5 Q. Were you ever told that the pistol discharged
6 because the trigger was actuated?
7 MR. HAAZ: Object to form.
8 A. I -- I'm sure that that was speculated about
9 quite a bit, but I don't know that anybody in a
10 technical capacity ever shared that detail with me.
11 BY MS. DENNISON:
12 Q. Okay. As we sit here today, do you have any idea
13 why your pistol discharged?
14 A. I have several theories but I'm -- while being
15 somebody who was employed in the industry for many years
16 and had a tremendous amount of experience and was, in
17 fact, a Glock armorer, but it would be -- you know, I --
18 I don't consider myself a technical ex -- expert on the
19 architecture or mechanics of firearms, despite all my
20 experience, so it would probably be imprudent for me to
21 speculate about what actually happened.
22 Q. Were you ever told that part of your undershirt
23 got into the holster and the trigger area and actuated
24 your trigger?
25 MR. HAAZ: Object to form.

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1 A. That was a part of the grand speculation that
 2 occurred post the event, but having watched the video on
 3 multiple occasions, you can ob -- very obviously see the
 4 T-shirt being bloused in front of the holster which is
 5 common in concealed carry techniques so I don't believe
 6 that's possible.
 7 BY MS. DENNISON:
 8 Q. What were you wearing that day?
 9 A. I had a gray T-shirt and a pair of motorcycle
 10 pants on.
 11 Q. Were you wearing anything under the gray T-shirt?
 12 A. I don't recall. It's possible I had an
 13 undershirt on.
 14 Q. Okay. Did you ever see any damage to the
 15 clothing that you were wearing after this discharge?
 16 A. I did. The -- all of the clothing was, I think,
 17 bagged up. The only apparent damage that I saw was the
 18 bullet hole in the back of the motorcycle pants.
 19 Q. Okay. Did you ever see any damage to the shirt
 20 that you were wearing?
 21 A. I did not.
 22 Q. Okay. And as we sit here today, you don't recall
 23 one way or the other whether you were wearing an
 24 undershirt?
 25 A. It's probable that I was, but I don't recall the

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1 use them. So I spent a decade, while I was working in
 2 the tech industry, and a decade working in the firearms
 3 industry learning everything I possibly could from every
 4 instructor and technical expert I could possibly find.
 5 Q. What do you mean that you saw hardware and
 6 software issues in the industry?
 7 A. As a general -- as a generality, my feeling was
 8 if you are going to carry a firearm for personal
 9 defense, you should have a wide and deep skill set in
 10 how to use it properly and safely. That was -- that was
 11 the core of our business. We also trained federal,
 12 state and local law enforcement, military transition
 13 folks who were going from military service out to a
 14 federal agency to do various security roles, and we --
 15 we sold the firearms and accessories that went with that
 16 training business as well.
 17 Q. For how long, what period of time did you have
 18 Bullseye Nevada Training Center?
 19 A. We opened, I believe, in 2010. The -- the
 20 California acquisition happened earlier than that,
 21 probably 2009. So the Nevada location got opened after
 22 the -- the California locations which were already
 23 there.
 24 Q. For how long did you have Bullseye Nevada
 25 Training Center?

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1 specifics of it, given the time frame when it happened.
 2 Q. Okay. And when did this discharge happen?
 3 A. Oh, gosh. June of 2018, I believe.
 4 Q. All right. You indicated that you were a Glock
 5 armorer; is that correct?
 6 A. Yes.
 7 Q. And when did you become a Glock armorer?
 8 A. I can look up the records, but my recollection is
 9 2010, probably.
 10 Q. Okay. Can you just tell us a little bit about
 11 your firearm experience, just broad strokes?
 12 A. Sure. So I worked in the technology industry for
 13 many years, and then invested in and ultimately ended up
 14 taking over a training and retail business in firearms.
 15 We had three locations, two in Northern California and
 16 one in Nevada. We ended up consolidating all three of
 17 those into the training center in Nevada. I had spent
 18 15 years or so training with various instructors and
 19 becoming certified as an instructor myself, and believed
 20 very strongly that we had a hardware and software
 21 problem in the firearms industry. We had a lot of
 22 hardware and not enough software, and people's skill
 23 sets with their tools were not up to the standard that
 24 they should be if they were intending to use them for
 25 the things that they were saying they were intending to

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1 A. A decade.
 2 Q. Did you have that through 2020?
 3 A. No. So I take that back. It would have been
 4 from 2010 'til 2018.
 5 Q. Okay.
 6 A. I don't have the exact dates in front of me but
 7 --
 8 Q. That's fine. I don't need the exact dates.
 9 Did you provide training? Were you a firearms
 10 instructor?
 11 A. I was.
 12 Q. For how long were you a firearms instructor?
 13 A. Virtually the entire time I was there. We
 14 employed a number of instructors, both local folks,
 15 experts from the Marine Mountain Warfare Center in
 16 Pickel Meadows, California, as well as law enforcement
 17 experts. We also brought in instructors from the
 18 outside. So if we thought somebody was a -- an
 19 excellent low light instructor, we would go find whoever
 20 that person was who wrote all the books on low light
 21 encounters and had done all the research, and we would
 22 bring those folks in to train our instructors.
 23 Q. Okay. Did you ever provide any instruction on
 24 holsters or proper holster usage to the individuals who
 25 came in through your facility?

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1 A. Iron --

2 MR. HAAZ: Object to form.

3 A. Ironically, I did.

4 BY MS. DENNISON:

5 Q. And what was the instruction that you provided?

6 A. Well, the first instruction is have a proper

7 holster that is stable and secure because many people

8 who choose to carry concealed firearms also make other

9 choices collateral to that, one of which is how they

10 carry it. So if -- and we also -- I was certified as a

11 Nevada CCW instructor statewide so we taught the CCW

12 course. And oftentimes folks who came into that class

13 would either not have a holster at all, or not know how

14 to choose the proper holster, where to carry it and how

15 to use it, so we did spend a fair amount of time on that

16 topic.

17 Q. Okay. Can you give a broad overview of what you

18 would instruct on how to select a proper holster for

19 somebody's weapon?

20 A. Sure. Well, it has to securely hold the firearm.

21 Oftentimes armed encounters or physical encounters of

22 any kind occur with some dynamic movement. Therefore,

23 the holster has to securely hold the firearm. The

24 holster should also cover the trigger and the trigger

25 guard so that nothing can get into it from the outside.

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1 This comes up with folks who want to carry in purses and

2 briefcases and things like that, and we often point it

3 out to them that lipstick and pencils and pens look a

4 whole lot like a finger to a trigger. So the -- any

5 holster that's chosen for any carry position or any

6 modality is -- has to cover the trigger and the trigger

7 guard.

8 Q. Have you seen other accidental discharges or

9 unintended discharges with weapons during the course of

10 your career?

11 A. I hadn't been directly exposed to them. I've --

12 I had heard of them. Subsequent to my event, I did talk

13 to at least one person who had a similar discharge. He

14 was a federal agent who was exiting a vehicle and the

15 firearm got caught on the holster of his vehicle as he

16 was starting a chase, and it discharged.

17 Q. Who was that, that you spoke with?

18 A. I honestly don't recall his name. He was

19 referred to me by a friend of mine who is in the private

20 investigation business. And given the terms of his

21 discussions with the third parties that he got into

22 discussions with, he -- he was fairly reticent to talk

23 to me. I'm aware of the -- I'm aware of the event, in

24 other words, but I'm not read up on the details of it.

25 Q. Do you know around when that incident occurred?

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1 A. It was prior to the -- to mine.

2 Q. Do you know what weapon he was carrying?

3 A. If memory serves, it was a Glock 17.

4 Q. Do you know if it was holstered at the time of

5 that discharge?

6 A. My understanding is that it was.

7 Q. Do you know what type of holster he was using

8 with the Glock 17?

9 A. I do not. I will, as a generality, say that

10 having worked in law enforcement and with a lot of

11 federal agencies, the high likelihood it was -- is that

12 it was made by Safariland.

13 Q. Why do you say that?

14 A. Because almost every holster that's issued to law

15 enforcement and federal law enforcement is made by

16 Safariland.

17 Q. And you said -- I believe you said this

18 individual was in his vehicle; is that what you said?

19 A. That's my understanding, yes.

20 Q. And you said that the -- your understanding was

21 the firearm -- firearm made contact with something as he

22 was getting out of the vehicle; is that what you said?

23 MR. HAAZ: Object to form.

24 A. That's my understanding. As I said, it was a

25 fairly brief, cautious conversation between the two of

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1 us via a referral from a friend of mine. I was just

2 trying to figure out what was going on, and if it had

3 ever happened before.

4 BY MS. DENNISON:

5 Q. And by, "if it had ever happened before," do you

6 mean discharge of a Glock in a holster?

7 MR. HAAZ: Object to form.

8 A. I do, or any -- any firearm in a holster -- our

9 -- our industry as a whole, I think, takes the position

10 that a firearm in the holster with a chamber in the

11 round is safe, and that was what we taught. We taught

12 it in the Nevada CCW course, we taught it in all of our

13 advanced courses, and our understanding, as a group of

14 instructors in the firearms industry, was that holstered

15 firearms do not discharge.

16 BY MS. DENNISON:

17 Q. After your incident, has your view changed on

18 whether holstered firearms with a round in the chamber

19 are safe?

20 MR. HAAZ: Object to form.

21 A. It has, and I left the business not too long

22 after that, after being unable to work for six to

23 eight months while I was recovering, and subsequently

24 sold the business. But if I had the opportunity to

25 teach a firearms class today -- and certainly during my

2025-04-23	Jacob, Kris	Page 25	2025-04-23	Jacob, Kris	Page 26
1	time as a sworn part of the Sanders County Sheriff's		1	A. San Rafael, California.	
2	Office, I explained to people, because of my experience,		2	Q. Does he have a business?	
3	that even if firearms are in holsters, they are		3	A. He does.	
4	mechanical devices, and they should not be placed in a		4	Q. What is his business name?	
5	position where they are covering some part of the human		5	A. It's changed over time. I don't think he's doing	
6	body. So not such a big problem in duty gear, but for		6	PI work anymore. He's running a bail bonds business at	
7	off-duty carry, my instruction to my team, which was a		7	the moment. I haven't been in contact with him in a	
8	third of the sheriff's office, and my advice to the rest		8	while so I couldn't say what the current name of the	
9	of the team who didn't report to me was, if you're gonna		9	business is.	
10	carry concealed, don't carry where that firearm is		10	Q. Okay. What is the name of the business that he	
11	covering a part of your anatomy, if it's loaded.		11	had at the time that you contacted him?	
12	BY MS. DENNISON:		12	A. I don't have a record of that. I just -- I have	
13	Q. And by not covering a part of your anatomy, do		13	him in my contacts as a personal friend, not as a	
14	you mean that the muzzle is not pointed towards a part		14	business associate, so I don't have records of his	
15	of your body?		15	business name.	
16	A. That's correct.		16	Q. Okay. All right. Are you aware of any other	
17	Q. What is the name of the PI that referred you to		17	discharge incidents of a firearm in a holster?	
18	this other individual?		18	A. I'm not. As you might imagine, post this event	
19	A. I will look that up. Hang on one second. His		19	and its physical and psychological outcome, I lost	
20	name is Matt Ramsey.		20	interest in researching firearm discharges.	
21	Q. And where is he located?		21	Q. Okay.	
22	A. He's in Northern California, San Rafael.		22	MS. DENNISON: Mr. Jacob, those are all of	
23	Q. Does he have a business?		23	the questions that I have. I'm sorry to make you go	
24	(Whereupon, the court reporter asked for		24	through this again, and I do apologize for what you have	
25	clarification.)		25	gone through.	
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1	Mr. Haaz will likely have some questions for		1	everything. I had no idea what the case or the subpoena	
2	you now.		2	was about, but thought it prudent to find out prior to	
3	THE WITNESS: Okay.		3	the discussion.	
4	VIDEOGRAPHER: Mr. Haaz, we cannot hear you.		4	Q. Okay. And when was that?	
5	Let me take us off the record for a moment.		5	A. To the best of my recollection, Wednesday the	
6	Going off the record, the time is 9:06.		6	21st.	
7	(OFF RECORD)		7	Q. So two days ago?	
8	VIDEOGRAPHER: Back on the record, the time		8	A. Yes.	
9	is 9:11.		9	Q. Okay. And how did you have Ms. Dennison's	
10	EXAMINATION		10	number?	
11	BY MR. HAAZ:		11	A. It's on the paperwork.	
12	Q. Mr. Jacob, my name is Sam Haaz. I represent		12	Q. Okay. And how long of a call was it?	
13	David and Kimberly Cole, and thank you for taking the		13	A. It was brief. I asked a couple of questions, I	
14	time to be with us today. We're at this deposition		14	requested that she send me the Zoom link electronically	
15	because Sig Sauer issued you a subpoena; is that right?		15	so that it was slightly easier than typing it in, and --	
16	A. That's correct.		16	and then the phone call was over.	
17	Q. And when did you first receive that subpoena?		17	Q. All right. Did you ask any questions about the	
18	A. Several days ago. It was -- I can tell you		18	substance of the case or the reason that you were	
19	exactly. It was the 20th, Tuesday.		19	subpoenaed?	
20	Q. May 20th was when you received that subpoena?		20	A. I asked -- I speculated that it seemed like it	
21	A. That's correct.		21	had been going on for some time, and asked a question	
22	Q. And has there been any communications with Ms.		22	why I was being subpoenaed, and she explained that it	
23	Dennison or her law firm with you prior to today's		23	was an outcome of the event that happened back in 2018.	
24	deposition?		24	Q. The discharge incident that we saw?	
25	A. Yes. I called Ms. Dennison to confirm		25	A. Yes.	

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1 Q. Okay. Do you remember if you asked any other
2 questions or Ms. Dennison gave any other answers?
3 A. No. As I said, it was a fairly brief call so it
4 didn't turn into a long discussion. I was at work at
5 the time so it was necessarily brief.
6 Q. All right. Where do you currently work?
7 A. I work for Farm Bureau Financial Services in
8 Libby, Montana.
9 (Whereupon, the court reporter asked for
10 clarification.)
11 A. Farm Bureau Financial Services in Libby, Montana.
12 It's an insurance company.
13 Q. So at the time of this incident, you were working
14 in Nevada at -- at Bullseye Nevada; is that right?
15 A. That's correct.
16 Q. And now you live in Montana?
17 A. Yes.
18 Q. Did you ask Ms. Dennison how -- how she located
19 you?
20 A. I didn't.
21 Q. The pistol involved in the discharge incident we
22 saw, you said that was a Glock 43. Is that a subcompact
23 gun?
24 A. It is.
25 Q. And what does that mean?

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1 Q. Okay. Did you own a Glock 43?
2 A. I did not.
3 Q. Did you own other Glock handguns?
4 A. I did.
5 Q. All right. And what did you own?
6 A. I owned a Glock 19, I owned a Glock 23 which was
7 chambered in .40 caliber. I think those were the only
8 two.
9 Q. Did you ever have any issues with those guns or
10 any unintended discharges with those guns, I should say?
11 A. No, I did not.
12 Q. Because you did not own the Glock 43 that was
13 involved in your unintended discharge, did you also not
14 own the Inside the Waistband holster you were using at
15 the time?
16 A. No, that I ow --
17 MS. DENNISON: Object to form.
18 A. That I owned.
19 BY MR. HAAZ:
20 Q. Okay. And so if you didn't own a Glock 43, was
21 that Haley Strategic Incog holster designed for a
22 different gun?
23 A. No, it was designed for the 43. We carried that
24 line of holsters at our store, and I personally know the
25 people who built it, so we were fairly confident that

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1 A. That just means it's smaller than a midsized gun.
2 So like vehicles, guns are classified in the retail part
3 of the industry as full-size, mid-size and subcompact.
4 Q. How long had you owned that Glock 43?
5 A. I didn't own it. It was not my firearm. It
6 belonged to one of the other employees.
7 Q. Do you know how long that other employee had
8 owned that gun?
9 A. I would have to dig into the records, but I would
10 speculate less than a year. It was a fairly new model
11 for them.
12 Q. Do you know whether that gun had any malfunctions
13 previously?
14 A. Not to the --
15 MS. DENNISON: Objection to form.
16 A. Not to the best of my recollection. I -- not --
17 and not when I was using it, no.
18 BY MR. HAAZ:
19 Q. Okay. Had you -- had you used that gun before?
20 A. I had on the range.
21 Q. All right. About how many times?
22 A. Well, I was on the range seven days a week for
23 many years, but in that case, because it was newer, I
24 would say at least a dozen -- I would say at least a
25 dozen times.

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1 the holster was stable, safe and secure. I am
2 left-handed, as you can probably see in the video. So
3 in order to carry the gun, I had to have a left-handed
4 Kydex holster in which to carry it.
5 Q. All right. So you didn't own the Glock 43 subcom
6 -- subcompact, but you did own the Glock 43 holster that
7 you were using on the date of the incident?
8 A. That's correct.
9 Q. You said that you believed the Glock 43 was fully
10 seated in the holster, right?
11 A. Yes.
12 Q. And that's based upon a tension that would engage
13 the gun in the holster?
14 MS. DENNISON: Objection to form.
15 A. That's correct.
16 BY MR. HAAZ:
17 Q. Was there any retention or button that you would
18 have to push that would have to be disengaged to remove
19 the gun from the holster?
20 A. No.
21 Q. So this was a friction holster?
22 A. Correct, which is quite common --
23 (Whereupon, the court reporter asked for
24 clarification.)
25 A. Which is quite common outside of law enforcement.

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1 In law enforcement and military applications, there are
 2 multiple steps to releasing the firearm from the
 3 holster. In consumer applications, they're almost
 4 nonexistent.
 5 Q. For your other two Glocks that you own, did you
 6 have any retention holsters?
 7 A. Yes.
 8 Q. And are those generally considered to be more
 9 secure than a friction holster?
 10 A. It depends on what you mean by secure. They
 11 definitely -- the firearm does not come out of the
 12 holster as quickly or as easily in a full retention
 13 holster which has two or three other steps to release
 14 it.
 15 Q. That -- that's how I meant it.
 16 A. Okay. And that's primarily what are used in law
 17 enforcement and military applications.
 18 Q. After your discharge incident, what steps did you
 19 take to figure out how the discharge occurred?
 20 A. It was some time before that start of the process
 21 started because I was in the hospital. But once I got
 22 out, I hired a lawyer who hired an expert who analyzed
 23 the firearm in a lab to try and sort that out.
 24 Q. All right. Were you present for that?
 25 A. I was not.

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1 you saw earlier today being leaked on the internet, and
 2 about everyone and their cousin commenting on how it
 3 happened, without having the benefit of being physically
 4 present in the room when it occurred.
 5 Q. Well, you were physically present in the room
 6 when this occurred so --
 7 A. I was.
 8 Q. And so you have the benefit of knowledge that
 9 people speculating just from watching the video don't.
 10 So can you just tell us, in your own words, what you
 11 believe happened?
 12 A. I believe it malfunctioned. I believe that it
 13 was in the holster and something occurred. I wish I
 14 could go back and see what. It doesn't seem likely or
 15 probable to me that some third party foreign object
 16 entered into the equation. The gun was holstered. Our
 17 perspective as instructors, as an industry, was that
 18 holstered firearms are safe. So I had every
 19 expectation, when I leaned over, that that was gonna be
 20 the case. Now, I will say the -- one of the rules of
 21 safety for the firearms industry is never point a gun at
 22 something you don't intend to destroy, and appendix
 23 holsters violate that rule. So having to do it over
 24 again, and I have since I worked in law enforcement for
 25 several years after this event, that never happened

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1 Q. You indicated that despite the fact that you're
 2 an armorer and familiar with guns, you're not an expert
 3 in the mechanics of firearms?
 4 A. To the extent that I can or could, when I did
 5 this for a living, work on them, I was considered an
 6 expert. But in terms of technical minutia of
 7 manufacturing and designing firearms, I obviously don't
 8 work in that part of the industry and have never worked
 9 in that part of the industry.
 10 Q. Okay. You said that there was some speculation
 11 that your shirt got into the holster at the time that
 12 you holstered the gun and caused a discharge. Do you
 13 remember talking about that?
 14 A. I do.
 15 Q. And do you dispute that?
 16 A. I do.
 17 Q. Okay. And why do you dispute that?
 18 A. I think it's clear from the video that there was
 19 not a shirt in the holster because the shirt was bloused
 20 outside the holster. It's also clear from the video
 21 that my hands were nowhere near the firearm at the time
 22 when it discharged. And I should point out, very
 23 popular firearms carry with them -- very adamant -- both
 24 proponents and detractors. So the speculation I
 25 referred to earlier was as an outcome of the video that

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1 again. But I can imagine a variety of different
 2 scenarios mechanically where it could happen.
 3 Striker-fired firearms have a striker that's under
 4 spring pressure a hundred percent of the time, unless
 5 it's forward and has already struck the primer. So I
 6 honestly, to this day, do not know what actually
 7 happened. The technical examination and the legal
 8 process sort of came to a halt at some point, and
 9 looking to move on with my life and not dwell on an
 10 event that was already painful enough, I moved on.
 11 Q. But as the person who actually had the gun in
 12 their appendix carry holster and experienced this
 13 discharge, you believe that the gun malfunctioned?
 14 MS. DENNISON: Objection to form.
 15 A. I believe that. It's, like I said, speculation
 16 on my part because I'm not a mechanical design expert,
 17 but that's the only -- you know, you eliminate all of
 18 the possibilities, and what you're left with is the
 19 likely answer, was my conclusion so --
 20 BY MR. HAAZ:
 21 Q. Have you -- was there any part of your shirt that
 22 was in your holster at the time that you holstered your
 23 Glock 43?
 24 A. No. I mean not based on my recollection, nor
 25 based on the footage where you can clearly see me move

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1 the shirt away from my body, and it falls over the gun
 2 in the holster which is, as I've mentioned, very common
 3 in concealed carry. You have to have a concealment
 4 garment. Otherwise, your firearm is not concealed. So
 5 if you have done that exercise or that movement
 6 thousands and thousands and thousands of times as a
 7 student and an instructor, you never holster your gun
 8 without blousing the shirt over it.

9 MR. HAAZ: Kristen, I don't have the benefit
 10 of having the video up as an exhibit. Would you mind
 11 playing it and stopping it short of the discharge? I
 12 don't want to have Mr. Jacob have to see that part of it
 13 again.

14 MS. DENNISON: Yeah.

15 BY MR. HAAZ:

16 Q. But I am interested to see, Mr. Jacob, what you
 17 describe as your shirt being bloused in front of the
 18 holster, demonstrating that your shirt could not have
 19 been in the holster.
 20 (Whereupon, a video is being played.)

21 MR. HAAZ: If we could just back that up,
 22 Kristen, and I just want to play that part again.

23 (Whereupon, a video is being played.)

24 BY MR. HAAZ:

25 Q. All right. So Mr. --

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1 Q. And would that have been -- when you say, "skin
 2 tight," would that have been tight against your body?
 3 A. Tight against my body and underneath my
 4 underwear.
 5 Q. All right. Underneath your underwear?
 6 A. Because it's the only way to keep them from
 7 riding up.
 8 Q. All right. So from what I understand, just based
 9 upon this image, you would have had a white spandex
 10 shirt that's tight against your body, underwear over
 11 that, and then pants over the underwear, and a gray
 12 T-shirt; is that fair?
 13 A. That sounds right.

14 Q. Okay. And then where would your appendix carry
 15 holster be located in that equation? Would it have been
 16 between your underwear and your pants?

17 A. No. So the appendix holster is inside the
 18 pants -- thus the name Inside the Waistband holster --
 19 clipped to the belt, and then the -- really the only
 20 part that's exposed is the -- is the top of the holster.

21 Q. All right. So when you're lifting up your shirt
 22 here -- and this is at seven seconds in the video --
 23 what are you doing with your gun in your left hand?

24 A. So with my finger straight and off the trigger,
 25 I'm placing the gun into the holster so that it is

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1 MR. HAAZ: Pause it there, Kristen. Thank
 2 you.
 3 BY MR. HAAZ:

4 Q. Mr. Jacob, did you see when you lifted up your
 5 gray shirt? Could you tell if there was an undershirt
 6 between your gray shirt and your body?
 7 A. Well, I -- I can't. Not -- not from this
 8 distance. The camera was in the upper right-hand corner
 9 of the room so it could pick up the entire retail space
 10 so I -- I can't see it. And honestly, it was seven or
 11 eight years ago so I -- it's --

12 Q. I think it may be -- if the video just gets
 13 backed up just a few more seconds.
 14 (Whereupon, a video is being played.)

15 A. It does look like there's a spandex T-shirt
 16 underneath.

17 Q. And when you say "spandex T-shirt," what do you
 18 mean?

19 A. So I taught in the desert 10 to 12 hours a day,
 20 seven days a week. So I often wore Under Armour spandex
 21 T-shirts underneath my cover garment because it was a
 22 hundred plus degrees most days. So I have them, I wear
 23 them frequently, and if I was wearing an undershirt that
 24 day, that's probably what it was. And they are skin
 25 tight, by the way.

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1 securely snapped in so that it can't fall out if I need
 2 to run or chase or something like that.

3 Q. All right. Is there any chance that the gray
 4 shirt that you're lifting up away in the holster would
 5 somehow be in the holster in this frame at
 6 seven seconds?

7 MS. DENNISON: Objection to form.

8 A. Well, I think if you run the video forward,
 9 you'll see that that's clearly not the case.

10 BY MR. HAAZ:

11 Q. Well, I'm just asking about this frame at
 12 seven seconds.

13 A. Oh. At that point, the shirt is above the
 14 firearm itself, and held in my right hand. So, no,
 15 there's no way for the shirt in that position to get
 16 caught in the trigger. And if it had, the discharge
 17 would have occurred prior to me leaning over and picking
 18 something up off the ground.

19 Q. All right.

20 MR. HAAZ: And, Kristen, could you play the
 21 next second or two, please?

22 (Whereupon, a video is being played.)

23 MS. DENNISON: Do you want me to keep going?

24 MR. HAAZ: Yes, please.

25 (Whereupon, a video is being played.)

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1 MR. HAAZ: All right. Pause it here,
2 please.
3 BY MR. HAAZ:

4 **Q. Okay, what did you just do with your shirt at 18**
5 **and 19 seconds?**
6 **A. That is a standard movement that anybody who**
7 **carries concealed, either appendix or anyplace else,**
8 **will do habitually which is blouse the shirt away from**
9 **the body to make sure that it's not anywhere near the**
10 **gun.**

11 Q. All right. And so just so I'm clear, the only
12 shirts that you had on that day were the white spandex
13 shirt and the gray shirt?

14 A. That's correct.

15 Q. Okay. And when you say bloused in front of your
16 body, just what exactly do you mean?

17 A. So having had a concealed weapons permit in the
18 State of California for a while, one of the problems is
19 that either law enforcement or civilians see that you're
20 wearing a gun and call it in. That's a problem because
21 it's supposed to be concealed. So blousing is a
22 technique to be absolutely sure before you move on to
23 the next step of your day, that that clothing item,
24 which is designed to conceal the firearm from the
25 general public, is covered. Otherwise, it's not

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1 Q. How long were you a Glock armorer for?
2 A. Five or six years, I think. It recently expired
3 so it could have been -- could have been longer. I
4 didn't pay much attention to it because, for obvious
5 reasons, I wasn't working on Glocks.

6 **Q. Have you ever heard of the term, finger placement**
7 **hazard?**

8 **A. No.**

9 Q. Did you own Glocks and shoot Glocks prior to
10 becoming a Glock armorer?

11 A. Yes.

12 Q. How long have you shot Glocks for?

13 A. I'd say probably at least since 2007.

14 Q. All right. So as of today, that would be about
15 16 years?

16 A. Sounds correct.

17 **Q. And I am cautious to ask because I don't know if**
18 **you can even estimate, but over that 16 years, how many**
19 **rounds would you say you shot through a Glock firearm?**
20 **A. Give or take a few, probably a hundred thousand.**

21 Q. All right. Have you ever tried to pull the
22 trigger of a Glock firearm and not been able to engage
23 the tap?

24 A. Huh. I -- I -- I have seen many catastrophic
25 malfunctions on the range. I don't recall whether or

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1 concealed.
2 Q. All right. And is that what you did at 18 or
3 19 seconds into this video?
4 A. That's exactly it.

5 **Q. Did you know -- do you know of anything else that**
6 **could have got in your holster besides the gray shirt or**
7 **the spandex shirt that you were wearing?**

8 **A. I've given it a fair amount of thought, as you**
9 **might imagine, and I can't imagine anything else that**
10 **could have gotten caught in -- in the holster.**

11 **Q. Okay. And was there any damage to the gray shirt**
12 **after the unintended discharge?**

13 **A. Not to the best of my knowledge, no.**

14 **Q. Was there any damage to the white shirt after the**
15 **unintended discharge?**

16 MS. DENNISON: Objection to form.

17 **A. No. It was above -- above the line of where the**
18 **holster stopped.**

19 BY MR. HAAZ:

20 Q. All right.

21 MR. HAAZ: Kristen, you can take it down.

22 I'm going to move on. Thank you.

23 MS. DENNISON: Give me a second. I gotta
24 remember how to stop sharing.

25 BY MR. HAAZ:

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1 not they had -- our primary concern, when those things
2 occur, is to safely handle -- handle the firearm to make
3 sure nothing else occurs if it's not working properly.

4 Q. Maybe I -- maybe I asked a bad question.

5 A. Okay.

6 **Q. You under -- do you understand what I'm talking**
7 **about when I'm talking about the tab on the Glock**
8 **trigger?**

9 **A. I am. It's part of the safe action trigger. I**
10 **am very familiar with it.**

11 **Q. All right. And you understand -- do you**
12 **understand that the trigger will not move rearward and**
13 **the gun will not discharge unless the tab is actuated?**

14 MS. DENNISON: Objection to form.

15 **A. That's my understanding, and that does seem to be**
16 **the design.**

17 BY MR. HAAZ:

18 Q. And have you ever tried to pull the trigger over
19 those hundred thousand rounds and -- let me strike that
20 and try to ask this a better way.

21 **Do you have any recollection of any incident**
22 **where you tried to pull a Glock trigger and did not**
23 **engage the tab?**

24 **A. Not to the best of my recollection, no.**

25 Q. I'm going to share my screen in a minute. As a

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1 Glock armorer, would you review the Glock instructions
 2 for use or the owner's manuals from time to time?
 3 A. Yes.
 4 Q. And would you have to be trained on those manuals
 5 and how to safely use the gun?
 6 MS. DENNISON: Objection to form.
 7 A. Yes. So the armorers course itself is primarily
 8 technical. So these are the parts, these are how they
 9 work together, here's how to diagnose and fix issues.
 10 It's presumed -- because most of the Glock armorer
 11 courses, as a percentage, occur in or adjacent to law
 12 enforcement agencies as a very popular firearm that's
 13 used in law enforcement, so I believe they presume --
 14 there is no live fire component to any of the Glock
 15 armorer courses, and I believe they presume that the
 16 four commandments of firearm safety are gonna be
 17 observed at all times when their armorers are working
 18 with guns.
 19 BY MR. HAAZ:
 20 Q. I'm going to show you what I'll mark as
 21 Exhibit 2.
 22 MS. DENNISON: And, for the record, I
 23 neglected to mark the video as Exhibit 1, but we'll mark
 24 it as Exhibit 1, and this will be Exhibit 2.
 25 (Exhibits 1 and 2 were marked.)

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1 sentence in the paragraph which reads, "the trigger
 2 safety is designed to protect against firing if the
 3 pistol is dropped, or if the pistol is subjected to
 4 lateral pressure." Is that what you were trained on as
 5 a Glock armorer?
 6 A. That is --
 7 MS. DENNISON: Object to form.
 8 A. -- part of the materials that are provided to
 9 Glock armorers, yes.
 10 BY MR. HAAZ:
 11 Q. And do you believe that to be an accurate
 12 statement?
 13 MS. DENNISON: Objection to form.
 14 A. I believe that the trigger safety is designed to
 15 protect against firing. I believe that's an accurate
 16 statement.
 17 BY MR. HAAZ:
 18 Q. All right.
 19 A. It's designed -- it's designed that way, yes.
 20 Q. All right. And the two types of firing
 21 incidents, according to Glock in this document, are a
 22 drop incident or a lateral pressure on the trigger
 23 incident; do you agree?
 24 MS. DENNISON: Objection to form.
 25 A. That is -- that is the text, yes.

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1 BY MR. HAAZ:
 2 Q. I'm going to show you what I'll mark as
 3 Exhibit 2. I shared my screen. And this is a Glock
 4 instructions for use manual. I'll scroll up to the
 5 first page so you see it.
 6 A. I recognize that document.
 7 Q. All right. And if we scroll down to page -- I
 8 think it's the top of page seven here, there's language
 9 about a trigger safety; do you see that?
 10 A. Uh-huh.
 11 Q. I'd ask that you read it, and then I'll have some
 12 questions about it.
 13 MS. DENNISON: For the record, could we just
 14 say -- can we just get the date on this manual?
 15 MR. HAAZ: Yeah, it was 2023. It looks like
 16 September '23.
 17 MS. DENNISON: Thank you.
 18 A. Is there any way to make this slightly bigger?
 19 BY MR. HAAZ:
 20 Q. Sure. I think so.
 21 A. I'm sure you guys have big, giant screens in your
 22 offices, but on my laptop, it's not readable. Okay, "if
 23 the trigger safety" -- yup, I -- I recall that
 24 paragraph.
 25 Q. All right. And I'm gonna focus on the last

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1 BY MR. HAAZ:
 2 Q. All right. Have you ever tried to test whether a
 3 tab in a Glock safe action trigger works properly?
 4 MS. DENNISON: Objection to form.
 5 A. We have -- in our classes, we have demonstrated
 6 that, yes.
 7 BY MR. HAAZ:
 8 Q. And how do you demonstrate that?
 9 A. With an unloaded firearm with the tab not
 10 depressed, pressing the trigger to the rear and
 11 observing that it stops instead of fully engaging.
 12 Q. Okay. And where on the trigger do you contact to
 13 show that the tab trigger is working properly?
 14 A. There are grooves or ribs in the trigger body
 15 itself that are on either part of the smooth part of the
 16 tab that you can hook your fingernail into and pull the
 17 trigger to the rear, or attempt to.
 18 Q. Okay. And unless the tab is engaged, the trigger
 19 will not pull; is that right?
 20 A. That is the way it's designed, yes.
 21 Q. All right. Now, you previously testified that
 22 based upon your experience, you no longer believe that a
 23 gun that is holstered is necessarily safe because it's
 24 in a holster?
 25 MS. DENNISON: Object to form.

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1 A. I believe that, in general, guns that are
2 holstered are safer than guns that are not holstered. I
3 also believe that their position, relative to the human
4 body, is quite important, and they shouldn't be pointed
5 at people's anatomy, unless you're intending to put a
6 hole in that piece of anatomy. And that's certainly not
7 the case with most people, unless it's directed at
8 somebody who's assaulting them. In short, my views on
9 holstered pistols as universally and perfectly safe have
10 changed.
11 BY MR. HAAZ:
12 Q. I want to talk briefly about this other incident
13 that you spoke of involving somebody who you remembered
14 telling you about an incident with a Glock 17 as they
15 got out of their vehicle. Do you remember when that
16 conversation took place?
17 A. It was probably a month after the event depicted
18 in the video.
19 Q. All right. You don't remember that person's
20 name?
21 A. I don't. I was recovering from a catastrophic
22 gunshot wound to the pelvis at that time, so my memory
23 of that period of time is somewhat cloudy.
24 Q. Understood. And you don't know anything about
25 the circumstances of that unintended discharge other

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1 MS. DENNISON: Mr. Jacob, I just have a
2 couple follow-up. I'm going to try to be as quick as
3 possible to get you out of here. And, again, thank you
4 very much for your time this morning. I'm sorry to keep
5 you so long.
6 RE-EXAMINATION
7 BY MS. DENNISON:
8 Q. You indicated, I believe, when Mr. Haaz was
9 asking you some questions, that you believe the trigger
10 safety in the Glock is designed to protect against
11 firing. Did I hear that right?
12 A. I -- I believe it's designed that way, and it
13 certainly states that in the instruction manual.
14 Q. Okay. Do you agree that a pistol is designed to
15 fire when the trigger is pulled?
16 MR. HAAZ: Object to form.
17 A. Yes.
18 BY MS. DENNISON:
19 Q. Do you believe that that tab trigger on the Glock
20 is designed in a manner that would interfere with the
21 gun firing when the trigger is pulled?
22 MR. HAAZ: Object to form.
23 A. I believe it's designed to do so. I -- I
24 couldn't speculate about whether or not it does so a
25 hundred percent of the time.

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1 than what was said to you during that brief
2 conversation?
3 A. No. As I recall, my goal in the conversation was
4 to find out if something like that had ever happened
5 before. When I found out the answer was yes, then I
6 stopped asking questions.
7 Q. All right. Have you ever heard of Sig P320s
8 going off in individuals' holsters?
9 MS. DENNISON: Objection to form.
10 A. I've read news reports of them, but having been
11 the subject of news reports of various kinds online and
12 on national television, I can -- you know, I don't put a
13 tremendous amount of value in news reports. If they're
14 -- so I'll just leave it there.
15 BY MR. HAAZ:
16 Q. Okay.
17 A. Nothing other than what I read in the news. I
18 don't have any specific contact with events of that
19 nature.
20 MR. HAAZ: All right. I want to look at my
21 notes real quick, but I don't think I have any other
22 questions.
23 Mr. Jacob, thank you very much for your
24 time.
25 THE WITNESS: Of course.

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1 BY MS. DENNISON:
2 Q. Okay. You said that you had fired the Glock
3 pistol thousands of times; is that correct?
4 A. Yes.
5 Q. And when you pulled that trigger on the Glock
6 pistol, I believe that you testified it fired every
7 time; is that correct?
8 A. Unless there was a malfunction, yes.
9 Q. What type of malfunction would occur with the
10 Glock that would cause it not to fire when you pulled
11 the trigger?
12 A. Well, there are several. A failure to fire event
13 typically occurs in one of three ways. Either the
14 striker or the firing pin does not contact the primer
15 properly and it doesn't go off so you have a basic
16 failure to fire, the slide is out of battery so it has
17 something obstructing it like another shell casing that
18 didn't eject, or the type three malfunction which is
19 slightly more complicated is you have a case that's
20 jammed in the barrel and -- and a shell that's jammed in
21 the breech, and that is more complex to take apart. But
22 in all three of those scenarios, the gun won't fire.
23 Q. Okay. Have you ever had a scenario where the
24 tabbed trigger stuck or otherwise impeded your ability
25 to pull the trigger?

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1	MR. HAAZ: Object to form. You can answer.		1	have caused the gun to go off.	
2	A. I have, and it was -- in the two cases I can		2	Q. And if you wanted to fire that weapon and you	
3	recall, it was the outcome of a round detonating inside		3	didn't properly place your finger on the trigger, could	
4	the firearm and bending the trigger mechanism.		4	that prevent you from discharging that weapon?	
5	BY MS. DENNISON:		5	MR. HAAZ: Object to form.	
6	Q. And that prevented you from being able to pull		6	A. It would, and that was why we did that	
7	the trigger in those circumstances?		7	demonstration in the -- in the concealed carry classes	
8	MR. HAAZ: Object to form.		8	and in the advanced classes. Most people outside of the	
9	A. It -- it mangled the internals of the gun so,		9	industry don't have any idea what the design and	
10	yeah, it was inoperable and frozen in an odd position,		10	mechanics of their firearms are, and it's important that	
11	the two times that I can recall it.		11	they understand that. So by way of demonstrating that,	
12	BY MS. DENNISON:		12	we could show how the -- how the firearm was designed to	
13	Q. But when you have pulled the trigger on your		13	function.	
14	Glock pistol, you never had a circumstance where that		14	BY MS. DENNISON:	
15	tab trigger prevented the gun from firing?		15	Q. Okay. Were you demonstrating how that tab	
16	A. If depressed, it -- the gun fires. The		16	trigger functions so that you could show the individuals	
17	reliability of those firearms is one of the reasons that		17	in their class that they had to properly place their	
18	they're heavily consumed by the general population and		18	finger on the trigger to be able to disengage the tab	
19	law enforcement and military units.		19	and fire the weapon?	
20	Q. And every time you've attempted to fire that		20	MR. HAAZ: Object to form.	
21	pistol, you've depressed the tab trigger; is that		21	A. That was part of it. The other part was that any	
22	correct?		22	time you have a class full of 20 people with variable	
23	A. That's correct. If my finger was properly placed		23	experience with firearms, some who just bought them	
24	on the trigger, it should have depressed the tab, as		24	recently and they're still sitting in the box, and some	
25	designed. And depressing the trigger to the rear should		25	who have been shooting all their lives, questions come	
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1	up. And one of the questions is -- and I won't be		1	the firearm.	
2	specific, but X gun doesn't have a safety and,		2	Q. Is it your understanding that the industry	
3	therefore, it's not safe. That's one of the common		3	equates an external safety with a thumb or a finger	
4	consumer questions that comes up in a CCW class. So as		4	safety like you just described?	
5	a part of demonstrating how internal safeties versus		5	MR. HAAZ: Object to form.	
6	external safeties are applied in firearms, we frequently		6	A. That's my understanding.	
7	did that demonstration.		7	BY MS. DENNISON:	
8	BY MS. DENNISON:		8	Q. Okay. Now, you indicated, I believe, that after	
9	Q. Okay. And that demonstration that you did, was		9	your discharge event, you had an expert take a look at	
10	that -- were you explaining how an external safety or		10	the pistol; is that correct?	
11	how an internal safety functions on the Glock?		11	A. Yes.	
12	A. Internal. External safeties are somewhat		12	Q. Did you ever bring a lawsuit arising out of the	
13	self-explanatory.		13	incident that you had with the Glock?	
14	Q. Okay. I understand you're saying it's fairly		14	A. I did not.	
15	self-explanatory. Could you explain to me what an		15	Q. Did you ever speak with that expert as to -- that	
16	external safety is?		16	you hired as to what, if anything, he concluded was the	
17	A. External safeties are, as the name suggests,		17	cause of your discharge?	
18	external. So 1911s, which is a very old design, have		18	A. Not directly, no. I spoke to -- I -- the	
19	them. They're sometimes on one side of the gun,		19	information that I got was through a third-party. And	
20	sometimes on the other, but you physically press that up		20	as I think I said before, I have never seen the -- the	
21	or down in order to put the firearm in a condition to		21	actual lab report.	
22	fire or not to fire. And there have been many		22	Q. Okay. You talked about the undershirt that you	
23	variations of external safeties throughout the years,		23	were wearing, and you asked if there was any evidence of	
24	but they all have one quality in common, and that's that		24	damage. When we spoke a little bit earlier this	
25	you can physically see and feel them on the outside of		25	morning, you could not recall whether you were wearing	

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1	an undershirt that day or not; do you recall that?		1	Q. Okay. If you were to see a lab report from your	
2	A. I do. And, again, this event occurred sometime		2	incident that indicated that there were fragments of	
3	in the past. So looking at the video again, it -- it		3	your undershirt located and burned into the gun and/or	
4	seems apparent that I was wearing an undershirt. So		4	holster, would you -- would that change your thought on	
5	present recollection refreshed, counselor.		5	that now?	
6	Q. You've been studying, Mr. Jacob. So as we sit		6	A. Well, first I'll say, I would love to see that	
7	here today, do you have a specific recollection that		7	report since I've never seen it before, and I was the	
8	there was no damage to the undershirt you were wearing		8	one who was involved in the incident. So if there is	
9	today -- or that you were wearing that day?		9	such a report in existence, I would be fascinated by	
10	MR. HAAZ: Object to form.		10	whatever it says, and would be happy to adjust my	
11	A. Again, history, but I -- I would be -- let me put		11	viewpoint based on that document.	
12	it this way. I would be very surprised if that shirt is		12	Q. Okay. All right.	
13	not in my drawer right now. And if it had a scorch mark		13	MS. DENNISON: Mr. Jacob, thank you, sir,	
14	or a rip in it, it would not be in my drawer. I -- I		14	for your time. I don't have any further questions for	
15	believe I still own all the T-shirts I owned in that		15	you.	
16	time frame which I'm not sure what that says about me,		16	THE WITNESS: Okay.	
17	but I believe it to be the case. And if it was damaged,		17	MR. HAAZ: I don't have any questions	
18	I wouldn't wear it.		18	either.	
19	BY MS. DENNISON:		19	Mr. Jacob, thank you very much. I'm sorry	
20	Q. Okay. Do you have -- are you -- let me back up,		20	you had to deal with this and had to watch the videos	
21	strike that. Are you certain that the undershirt that		21	again and relive it, but we're very appreciative of your	
22	you were wearing on the day of the incident is an		22	time.	
23	undershirt that you currently own and is in your drawer?		23	THE WITNESS: My pleasure.	
24	A. To the best of my recollection, I have not		24	VIDEOGRAPHER: One moment, I'll take us off	
25	disposed of any undershirts of that type in a long time.		25	the record.	
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1	This now concludes the videoconference		1	Jacob's incident in his -- in his report, Derek Watkins.	
2	deposition of Kris Jacob.		2	That -- to the best of my knowledge, that incident	
3	At this time, we do ask all counsel to stay		3	report about Mr. Jacob's incident was not produced as	
4	connected briefly to provide the court reporter with		4	part of his file materials. Do you have it? And if you	
5	your transcript and video orders.		5	have it, why haven't you produced it yet?	
6	Ms. Dennison?		6	MS. DENNISON: I do not have it.	
7	MS. DENNISON: I will take a synced copy of		7	MR. HAAZ: Well, what were you referring to	
8	the video, and I will take an e-Tran and TXT, please.		8	when you talked about fragments of a T-shirt in a	
9	VIDEOGRAPHER: All right, Mr. Haaz?		9	holster?	
10	MR. HAAZ: We'll take the video -- actually,		10	MS. DENNISON: I heard it exists. I do not	
11	you know what? Let's hold off on the video. We'll take		11	have it.	
12	a TXT and a mini PDF.		12	MR. HAAZ: Okay.	
13	VIDEOGRAPHER: Okay, thank you.		13	VIDEOGRAPHER: Okay. Are we okay to go off	
14	MR. HAAZ: Actually, you know what -- yeah,		14	the record?	
15	we'll -- I'll hold off on the video, and we'll follow		15	MS. DENNISON: Yes.	
16	up.		16	VIDEOGRAPHER: All right. We are now going	
17	Kristen --		17	off the record on May 23, 2025 at -- and, I'm sorry, Mr.	
18	VIDEOGRAPHER: Do you want me to take us off		18	Jacob turned off his camera, so I do not know what time	
19	the record, or do you want this on the record?		19	we are.	
20	MR. HAAZ: No, we'll have this on the		20	MS. DENNISON: It should be 10 a.m.	
21	record.		21	MR. HAAZ: 10 a.m.	
22	VIDEOGRAPHER: Okay.		22	VIDEOGRAPHER: 10 a.m. Mountain Time. Thank	
23	MR. HAAZ: You referenced a report related		23	you.	
24	to Mr. Jacob's incident that's never been produced in		24	(Whereupon, the deposition was concluded at 10:00 a.m.)	
25	this case. Your expert talked at length about Mr.				

EXHIBIT C